

**SENATE, No. 3538**

**STATE OF NEW JERSEY**

**217th LEGISLATURE**

INTRODUCED NOVEMBER 30, 2017

**Sponsored by:**

**Senator LINDA R. GREENSTEIN**

**District 14 (Mercer and Middlesex)**

**Senator RICHARD J. CODEY**

**District 27 (Essex and Morris)**

**Assemblyman VINCENT PRIETO**

**District 32 (Bergen and Hudson)**

**Assemblyman RAJ MUKHERJI**

**District 33 (Hudson)**

**Assemblywoman CLEOPATRA G. TUCKER**

**District 28 (Essex)**

**Assemblyman BOB ANDRZEJCZAK**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblywoman BLONNIE R. WATSON**

**District 29 (Essex)**

**Co-Sponsored by:**

**Senators Bateman, Thompson, Assemblyman Ciattarelli, Assemblywoman Gove, Assemblymen DiMaio, C.A.Brown, Russo, Howarth, Assemblywoman Handlin, Assemblymen Clifton, Dancer, Thomson, Assemblywoman B.DeCroce, Assemblyman Webber, Assemblywoman Rodriguez-Gregg, Assemblyman S.Kean, Assemblywoman N.Munoz, Assemblymen Bramnick, Peterson, McGuckin, Wolfe, O'Scanlon, Coughlin and Space**

**SYNOPSIS**

Amends list of environmental infrastructure projects approved for long-term funding for FY2018 to include new projects and revise allowable loan amounts for already approved projects.

**CURRENT VERSION OF TEXT**

As introduced.

(Sponsorship Updated As Of: 12/1/2017)

1   **AN ACT** concerning the financing of environmental infrastructure  
2       projects in Fiscal Year 2018 and amending P.L.2017, c.143.

3  
4       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7       1. Section 1 of P.L.2017, c.143 is amended to read as follows:

8       1. a. (1) There is appropriated to the Department of  
9 Environmental Protection from the "Clean Water State Revolving  
10 Fund" established pursuant to section 1 of P.L.2009, c.77, an  
11 amount equal to the federal fiscal year 2017 capitalization grant  
12 made available to the State for clean water project loans pursuant to  
13 the "Water Quality Act of 1987" (33 U.S.C. s.1251 et seq.), and any  
14 amendatory and supplementary acts thereto (hereinafter referred to  
15 as the "Federal Clean Water Act").

16       (2) There is appropriated to the Department of Environmental  
17 Protection from the "Interim Financing Program Fund" created and  
18 established by the New Jersey Environmental Infrastructure Trust  
19 pursuant to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-  
20 9) such amounts as may be necessary to supplement the sums  
21 appropriated from the Clean Water State Revolving Fund for the  
22 purposes of clean water project loans and providing the State match  
23 as required or will be required for the award of the capitalization  
24 grants made available to the State for clean water projects pursuant  
25 to the Federal Clean Water Act.

26       (3) There is appropriated to the Department of Environmental  
27 Protection from the "Disaster Relief Emergency Financing Program  
28 Fund" created and established by the New Jersey Environmental  
29 Infrastructure Trust pursuant to section 1 of P.L.2013, c.93  
30 (C.58:11B-9.5) such amounts as may be necessary to supplement  
31 the sums appropriated from the Clean Water State Revolving Fund  
32 for the purposes of clean water project loans and providing the State  
33 match as required or will be required for the award of the  
34 capitalization grants made available to the State for clean water  
35 projects pursuant to the Federal Clean Water Act.

36       (4) There is appropriated to the Department of Environmental  
37 Protection from the "Loan Origination Fee Fund" created and  
38 established by the New Jersey Environmental Infrastructure Trust  
39 pursuant to section 1 of P.L.2005, c.202 (C.58:11B-10.2), and any  
40 repayments of loans and interest therefrom, such amounts as may be  
41 necessary to supplement the sums appropriated from the Clean  
42 Water State Revolving Fund for the purposes of clean water project  
43 loans and providing the State match as required or will be required

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 for the award of the capitalization grants made available to the State  
2 for clean water projects pursuant to the Federal Clean Water Act.

3 (5) There is appropriated to the Department of Environmental  
4 Protection from the "Drinking Water State Revolving Fund"  
5 established pursuant to section 1 of P.L.1998, c.84 an amount equal  
6 to the federal fiscal year 2017 capitalization grant made available to  
7 the State for drinking water projects pursuant to the "Safe Drinking  
8 Water Act Amendments of 1996," Pub.L.104-182, and any  
9 amendatory and supplementary acts thereto (hereinafter referred to  
10 as the "Federal Safe Drinking Water Act").

11 The Department of Environmental Protection is authorized to  
12 transfer from the Clean Water State Revolving Fund to the Drinking  
13 Water State Revolving Fund an amount up to the maximum amount  
14 authorized to be transferred pursuant to the Federal Safe Drinking  
15 Water Act to meet present and future needs for the financing of  
16 eligible drinking water projects, and an amount equal to that  
17 maximum amount is hereby appropriated to the department for  
18 those purposes.

19 The Department of Environmental Protection is authorized to  
20 transfer from the Drinking Water State Revolving Fund to the Clean  
21 Water State Revolving Fund an amount up to the maximum amount  
22 authorized to be transferred pursuant to the Federal Clean Water  
23 Act to meet present and future needs for the financing of eligible  
24 clean water projects, and an amount equal to that maximum amount  
25 is hereby appropriated to the department for those purposes.

26 (6) There is appropriated to the Department of Environmental  
27 Protection the unappropriated balances from the Clean Water State  
28 Revolving Fund, including the balances from the Federal Disaster  
29 Relief Appropriations Act, and any repayments of loans and interest  
30 therefrom, for the purposes of clean water project loans and  
31 providing the State match as available on or before June 30, 2018,  
32 as required or will be required for the award of the capitalization  
33 grants made available to the State for clean water projects pursuant  
34 to the Federal Clean Water Act.

35 (7) There is appropriated to the Department of Environmental  
36 Protection the unappropriated balances from the "Wastewater  
37 Treatment Fund" established pursuant to section 15 of the  
38 "Wastewater Treatment Bond Act of 1985" (P.L.1985, c.329), and  
39 any repayments of loans and interest therefrom, as available on or  
40 before June 30, 2018, for the purposes of clean water project loans  
41 and providing the State match as required or will be required for the  
42 award of the capitalization grants made available to the State for  
43 clean water projects pursuant to the Federal Clean Water Act.

44 (8) There is appropriated to the Department of Environmental  
45 Protection the unappropriated balances from the "1992 Wastewater  
46 Treatment Fund" established pursuant to section 27 of the "Green

1 Acres, Clean Water, Farmland and Historic Preservation Bond Act  
2 of 1992” (P.L.1992, c.88), and any repayments of loans and interest  
3 therefrom, as available on or before June 30, 2018, for the purposes  
4 of clean water project loans and providing the State match as  
5 required or will be required for the award of the capitalization  
6 grants made available to the State for clean water projects pursuant  
7 to the Federal Clean Water Act.

8 (9) There is appropriated to the Department of Environmental  
9 Protection the unappropriated balances from the “2003 Water  
10 Resources and Wastewater Treatment Fund” established pursuant to  
11 subsection a. of section 19 of the “Dam, Lake, Stream, Flood  
12 Control, Water Resources, and Wastewater Treatment Project Bond  
13 Act of 2003” (P.L.2003, c.162), and any repayments of loans and  
14 interest therefrom, as available on or before June 30, 2018, for the  
15 purposes of clean water project loans and providing the State match  
16 as required or will be required for the award of the capitalization  
17 grants made available to the State for clean water projects pursuant  
18 to the Federal Clean Water Act.

19 (10) There is appropriated to the Department of Environmental  
20 Protection the unappropriated balances from the Drinking Water  
21 State Revolving Fund, including the balances from the Disaster  
22 Relief Appropriations Act of 2013, for the purposes of drinking  
23 water project loans and any repayments of loans and interest  
24 therefrom, that are or may become available on or before June 30,  
25 2018.

26 (11) There is appropriated to the Department of Environmental  
27 Protection such sums as may be needed from loan repayments and  
28 interest earnings from the "Water Supply Fund" established  
29 pursuant to section 14 of the “Water Supply Bond Act of 1981”  
30 (P.L.1981, c.261) for the "Drinking Water State Revolving Fund  
31 Match Accounts" contained within that fund for the purpose of  
32 providing the State match as required or will be required for the  
33 award of the capitalization grants made available to the State for  
34 drinking water projects pursuant to the Federal Safe Drinking Water  
35 Act.

36 (12) There is appropriated to the Department of Environmental  
37 Protection from the “Interim Financing Program Fund” created and  
38 established by the New Jersey Environmental Infrastructure Trust  
39 pursuant to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-  
40 9) such amounts as may be or become available on or before June  
41 30, 2018, and any repayments of loans and interest therefrom, as  
42 may be necessary to supplement the sums appropriated from the  
43 Drinking Water State Revolving Fund for the purposes of drinking  
44 water project loans and providing the State match as required or  
45 will be required for the award of the capitalization grants made

1 available to the State for clean water projects pursuant to the  
2 Federal Safe Drinking Water Act.

3 (13) There is appropriated to the Department of Environmental  
4 Protection from the "Disaster Relief Emergency Financing Program  
5 Fund" created and established by the New Jersey Environmental  
6 Infrastructure Trust pursuant to section 1 of P.L.2013, c.93  
7 (C.58:11B-9.5) such amounts as may be necessary to supplement  
8 the sums appropriated from the Drinking Water State Revolving  
9 Fund for the purposes of drinking water project loans and providing  
10 the State match as required or will be required for the award of the  
11 capitalization grants made available to the State for drinking water  
12 projects pursuant to the Federal Safe Drinking Water Act.

13 (14) There is appropriated to the Department of Environmental  
14 Protection from the "Loan Origination Fee Fund" created and  
15 established by the New Jersey Environmental Infrastructure Trust  
16 pursuant to section 1 of P.L.2005, c.202 (C.58:11B-10.2), and any  
17 repayments of loans and interest therefrom, such amounts as may be  
18 necessary to supplement the sums appropriated from the Drinking  
19 Water State Revolving Fund for the purposes of drinking water  
20 project loans and providing the State match as required or will be  
21 required for the award of the capitalization grants made available to  
22 the State for drinking water projects pursuant to the Federal Safe  
23 Drinking Water Act.

24 (15) There is appropriated to the Department of Environmental  
25 Protection such sums as may be received by the Department of  
26 Community Affairs as the grantee from the United States  
27 Department of Housing and Urban Development Community  
28 Development Block Grant - Disaster Recovery Program (CDBG-  
29 DR), as anticipated and upon availability on or before June 30,  
30 2018, for the purposes of CDBG-DR eligible clean water and  
31 drinking water project loans and providing the State match as  
32 required or will be required for the award of the capitalization  
33 grants made available to the State for clean water projects pursuant  
34 to the Federal Clean Water Act and drinking water projects pursuant  
35 to the Federal Safe Drinking Water Act, respectively.

36 (16) There is appropriated to the Department of Environmental  
37 Protection such sums as may be or become available on or before  
38 June 30, 2018, as repayments of drinking water project loans and  
39 any interest therefrom from the "Water Supply Fund" established  
40 pursuant to section 14 of the "Water Supply Bond Act of 1981"  
41 (P.L.1981, c.261) for the purposes of drinking water project loans  
42 and providing the State match as required or will be required for the  
43 award of the capitalization grants made available to the State for  
44 drinking water projects pursuant to the Federal Safe Drinking Water  
45 Act.

1       (17) Of the sums appropriated to the Department of  
2 Environmental Protection from the "Water Supply Fund" pursuant  
3 to P.L.1999, c.174, P.L.2001, c.222, P.L.2002, c.70 and P.L.2003,  
4 c.158, the department is authorized to transfer any unexpended  
5 balances and any repayments of loans and interest therefrom as may  
6 be or become available on or before June 30, 2018, in such amounts  
7 as needed to the Drinking Water State Revolving Fund accounts  
8 contained within the Water Supply Fund established for the  
9 purposes of providing drinking water project loans and providing  
10 the State match as required or will be required for the award of the  
11 capitalization grants made available to the State for drinking water  
12 projects pursuant to the Federal Safe Drinking Water Act.

13       (18) Of the sums appropriated to the Department of  
14 Environmental Protection from the "1992 Wastewater Treatment  
15 Fund" pursuant to P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84,  
16 P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222 and P.L.2002,  
17 c.70, the department is authorized to transfer any unexpended  
18 balances and any repayments of loans and interest therefrom as may  
19 be or become available on or before June 30, 2018, in such amounts  
20 as needed to the Clean Water State Revolving Fund accounts  
21 contained within the 1992 Wastewater Treatment Fund for the  
22 purposes of providing clean water project loans and providing the  
23 State match as required or will be required for the award of the  
24 capitalization grants made available to the State for clean water  
25 projects pursuant to the Federal Clean Water Act.

26       (19) Of the sums appropriated to the Department of  
27 Environmental Protection from the "2003 Water Resources and  
28 Wastewater Treatment Fund" pursuant to P.L.2004, c.109, and  
29 P.L.2007, c.139, the department is authorized to transfer any  
30 unexpended balances and any repayments of loans and interest  
31 therefrom as may be or become available on or before June 30,  
32 2018, in such amounts as needed to the Clean Water State  
33 Revolving Fund accounts contained within the 2003 Water  
34 Resources and Wastewater Treatment Fund for the purposes of  
35 providing clean water project loans and providing the State match  
36 as required or will be required for the award of the capitalization  
37 grants made available to the State for clean water projects pursuant  
38 to the Federal Clean Water Act.

39       (20) There is appropriated to the Department of Environmental  
40 Protection the sums deposited by the New Jersey Environmental  
41 Infrastructure Trust into the Clean Water State Revolving Fund, the  
42 "Wastewater Treatment Fund," the "1992 Wastewater Treatment  
43 Fund," the "Water Supply Fund," the "Stormwater Management and  
44 Combined Sewer Overflow Abatement Fund," established pursuant  
45 to the "Stormwater Management and Combined Sewer Overflow  
46 Abatement Bond Act of 1989" (P.L.1989, c.181), the "2003 Water

1 Resources and Wastewater Treatment Fund" and the Drinking  
2 Water State Revolving Fund, as appropriate, pursuant to paragraph  
3 (6) of subsection c. of section 1 of P.L.2017, c.142, as available on  
4 or before June 30, 2018, for the purposes of providing clean water  
5 project loans and drinking water project loans and providing the  
6 State match as required or will be required for the award of the  
7 capitalization grants made available to the State for clean water  
8 projects pursuant to the Federal Clean Water Act and drinking water  
9 projects pursuant to the Federal Safe Drinking Water Act.

10 Any such amounts shall be for the purpose of making zero  
11 interest and principal forgiveness financing loans, to the extent  
12 sufficient funds are available, to or on behalf of local government  
13 units or public water utilities (hereinafter referred to as "project  
14 sponsors") to finance a portion of the cost of construction of clean  
15 water projects and drinking water projects listed in sections 2 and 3  
16 of **[this act]** P.L.2017, c.143, as amended by P.L. , c. (pending  
17 before the Legislature as this bill), and for the purpose of  
18 implementing and administering the provisions of **[this act]**  
19 P.L.2017, c.143, as amended by P.L. , c. (pending before the  
20 Legislature as this bill), to the extent permitted by the Federal  
21 Disaster Relief Appropriations Act, the Federal Clean Water Act,  
22 and any amendatory and supplementary acts thereto, P.L.2009, c.77,  
23 the "Wastewater Treatment Bond Act of 1985" (P.L.1985, c.329),  
24 the "Water Supply Bond Act of 1981" (P.L.1981, c.261), the  
25 "Stormwater Management and Combined Sewer Overflow  
26 Abatement Bond Act of 1989" (P.L.1989, c.181), the "Green Acres,  
27 Clean Water, Farmland and Historic Preservation Bond Act of  
28 1992" (P.L.1992, c.88), the "Dam, Lake, Stream, Flood Control,  
29 Water Resources, and Wastewater Treatment Project Bond Act of  
30 2003" (P.L.2003, c.162), the Federal Safe Drinking Water Act, and  
31 any amendatory and supplementary acts thereto, and State law.

32 b. The department is authorized to make zero interest and  
33 principal forgiveness financing loans to or on behalf of the project  
34 sponsors for the environmental infrastructure projects listed in  
35 subsection a. of section 2 and subsection a. of section 3 of **[this act]**  
36 P.L.2017, c.143, as amended by P.L. , c. (pending before the  
37 Legislature as this bill), for clean water projects, up to the  
38 individual amounts indicated and in the priority stated, to the extent  
39 there are sufficient eligible project applications, and except that any  
40 such amounts may be reduced if a project fails to meet the  
41 requirements of section 4 or 5 of **[this act]** P.L.2017, c.143, as  
42 amended by P.L. , c. (pending before the Legislature as this  
43 bill), or by the Commissioner of Environmental Protection pursuant  
44 to section 7 of **[this act]** P.L.2017, c.143, as amended by P.L. ,  
45 c. (pending before the Legislature as this bill), provided:

1 (1) a maximum of \$6 million in principal forgiveness loans shall  
2 be issued to finance Barnegat Bay Watershed environmental  
3 infrastructure projects as provided in subsection a. of section 3 of  
4 **【this act】** P.L.2017, c.143, as amended by P.L. \_\_\_\_\_, c. (pending  
5 before the Legislature as this bill), wherein principal forgiveness  
6 shall be a minimum of 25 percent of the fund loan amount per  
7 project sponsor in an amount not to exceed \$2 million of principal  
8 forgiveness per project sponsor;

9 (2) a maximum of \$30 million shall be issued to finance clean  
10 water redevelopment projects as provided in subsection a. of section  
11 3 of **【this act】** P.L.2017, c.143, as amended by P.L. \_\_\_\_\_,  
12 c. (pending before the Legislature as this bill);

13 (3) to the extent funds are available, principal forgiveness loans  
14 shall be issued as provided in subsection a. of section 3 of **【this act】**  
15 P.L.2017, c.143, as amended by P.L. \_\_\_\_\_, c. (pending before the  
16 Legislature as this bill), to communities in combined sewer  
17 overflow sewersheds sponsoring construction projects that reduce  
18 or eliminate excessive infiltration/inflow or extraneous flows  
19 wherein principal forgiveness loans shall not exceed \$5 million per  
20 borrower subject to the availability of funds wherein 50 percent of  
21 the principal of the fund loan shall be forgiven, 25 percent of the  
22 loan shall be a zero interest rate fund loan, and 25 percent of the  
23 loan shall be a trust market rate loan. A 100 percent DEP interest-  
24 free loan will be issued to borrowers for amounts in excess of the  
25 cap;

26 (4) to the extent funds are available, principal forgiveness loans  
27 shall be issued as provided in subsection a. of section 3 of **【this act】**  
28 P.L.2017, c.143, as amended by P.L. \_\_\_\_\_, c. (pending before the  
29 Legislature as this bill), for combined sewer overflow abatement  
30 projects, including projects that use practices that restore natural  
31 hydrology through infiltration, evapotranspiration, or the usage or  
32 harvesting of stormwater, wherein 50 percent of the principal of the  
33 fund loan shall be forgiven, 25 percent of the loan shall be a zero  
34 interest rate fund loan, and 25 percent of the loan shall be a trust  
35 market rate loan subject to the availability of funds;

36 (5) to the extent funds are available, a maximum of \$1 million  
37 in principal forgiveness loans shall be issued to finance clean water  
38 environmental infrastructure projects as provided in subsection a. of  
39 section 3 of **【this act】** P.L.2017, c.143, as amended by P.L. \_\_\_\_\_,  
40 c. (pending before the Legislature as this bill), for systems serving  
41 populations of up to 10,000 residents for the development of asset  
42 management plans wherein principal forgiveness shall be 100  
43 percent of the fund loan amount per project in an amount not to  
44 exceed \$100,000 per project sponsor subject to the availability of  
45 funds; and



1 (6) those projects listed in subsection a. of section 2 of **[this**  
2 **act]** P.L.2017, c.143, as amended by P.L. , c. (pending before  
3 the Legislature as this bill), and subsection a. of section 3 of **[this**  
4 **act]** P.L.2017, c.143, as amended by P.L. , c. (pending before  
5 the Legislature as this bill), that were previously identified in  
6 P.L.2016, c.32, as amended by P.L.2017, c.14, are granted  
7 continued priority status and shall be subject to the provisions of  
8 P.L.2016, c.32, as amended by P.L.2017, c.14, provided such  
9 projects receive short-term funding prior to June 30, 2018.

10 c. The department is authorized to make zero interest and  
11 principal forgiveness financing loans to or on behalf of the project  
12 sponsors for the environmental infrastructure projects listed in  
13 subsection b. of section 3 of **[this act]** P.L.2017, c.143, as amended  
14 by P.L. , c. (pending before the Legislature as this bill), for  
15 drinking water projects, up to the individual amounts indicated and  
16 in the priority stated, provided:

17 (1) a maximum of 30 percent of the 2017 Drinking Water State  
18 Revolving Fund loans not to exceed \$5 million may be issued as  
19 provided in subsection b. of section 3 of **[this act]** P.L.2017, c.143,  
20 as amended by P.L. , c. (pending before the Legislature as this  
21 bill), for drinking water systems, as follows:

22 (a) up to \$4 million of Drinking Water State Revolving Fund  
23 loans shall be available for drinking water systems serving  
24 populations of up to 10,000 residents wherein principal forgiveness  
25 shall not exceed \$500,000 in the aggregate and shall not exceed 50  
26 percent of the total loan amount per project sponsor in an amount  
27 not to exceed \$1 million per project sponsor.

28 Loans for drinking water systems serving 500 or fewer residents  
29 shall be given the highest priority, followed by systems serving  
30 between 501 to 10,000 residents;

31 (b) a maximum of \$1 million in principal forgiveness loans shall  
32 be issued to drinking water systems serving populations of up to  
33 10,000 residents for the development of asset management plans  
34 wherein principal forgiveness shall be 100 percent of the fund loan  
35 amount per project in an amount not to exceed \$100,000 per project  
36 sponsor subject to the availability of funds; and

37 (c) a maximum of \$30 million of principal forgiveness for  
38 drinking water systems serving communities with a median  
39 household income less than the median household income for the  
40 county in which they are located for lead line replacement wherein  
41 principal forgiveness shall not exceed \$1 million of principal  
42 forgiveness per water system.

43 Loans may be made pursuant to this subsection to the extent  
44 there are sufficient eligible project applications and as required or  
45 will be required for the award of the capitalization grants made

1 available to the State for drinking water projects pursuant to the  
2 Federal Safe Drinking Water Act. Any such amounts may be  
3 reduced by the Commissioner of Environmental Protection pursuant  
4 to section 7 of **[this act]** P.L.2017, c.143, as amended by P.L. \_\_\_\_\_,  
5 c. (pending before the Legislature as this bill), or if a project fails  
6 to meet the requirements of section 4 or 5 of **[this act]** P.L.2017,  
7 c.143, as amended by P.L. \_\_\_\_\_, c. (pending before the Legislature  
8 as this bill).

9 (2) Those projects listed in subsection a. of section 3 of **[this**  
10 **act]** P.L.2017, c.143, as amended by P.L. \_\_\_\_\_, c. (pending before  
11 the Legislature as this bill), and subsection b. of section 3 of **[this**  
12 **act]** P.L.2017, c.143, as amended by P.L. \_\_\_\_\_, c. (pending before  
13 the Legislature as this bill), that were previously identified in  
14 P.L.2016, c.32, as amended by P.L.2017, c.14, are granted  
15 continued priority status and shall be subject to the provisions of  
16 P.L.2016, c.32, as amended by P.L.2017, c.14, provided such  
17 projects receive short-term funding prior to June 30, 2017.

18 d. The department is authorized to make zero interest and  
19 principal forgiveness financing loans to or on behalf of the project  
20 sponsors for the environmental infrastructure projects listed in  
21 sections 2 and 3 of **[this act]** P.L.2017, c.143, as amended by  
22 P.L. \_\_\_\_\_, c. (pending before the Legislature as this bill), under the  
23 same terms, conditions and requirements as set forth in this section  
24 from any unexpended balances of the amounts appropriated  
25 pursuant to section 1 of P.L.1987, c.200, section 2 of P.L.1988,  
26 c.133, section 1 of P.L.1989, c.189, section 1 of P.L.1990, c.99,  
27 section 1 of P.L.1991, c.325, section 1 of P.L.1992, c.38, section 1  
28 of P.L.1993, c.193, section 1 of P.L.1994, c.106, section 1 of  
29 P.L.1995, c.219, section 1 of P.L.1996, c.85, section 1 of P.L.1997,  
30 c.221, section 2 of P.L.1998, c.84, section 2 of P.L.1999, c.174,  
31 section 2 of P.L.2000, c.92, sections 1 and 2 of P.L.2001, c.222,  
32 sections 1 and 2 of P.L.2002, c.70, sections 1 and 2 of P.L.2003,  
33 c.158, sections 1 and 2 of P.L.2004, c.109, sections 1 and 2 of  
34 P.L.2005, c.196, sections 1 and 2 of P.L.2006, c.68, sections 1 and  
35 2 of P.L.2007, c.139, sections 1 and 2 of P.L.2008, c.68, sections 1  
36 and 2 of P.L.2009, c.102, sections 1 and 2 of P.L.2010, c.63,  
37 sections 1 and 2 of P.L.2011, c.93, sections 1 and 2 of P.L.2012,  
38 c.43, sections 1 and 2 of P.L.2013, c.95, sections 1 and 2 of  
39 P.L.2014, c.25, sections 1 and 2 of P.L.2015, c.108, **[and]** sections  
40 1 and 2 of P.L.2016, c.32, as amended by P.L.2017, c.14, and  
41 sections 1 and 2 of P.L.2017, c.143, as amended by P.L. \_\_\_\_\_,  
42 c. (pending before the Legislature as this bill), including amounts  
43 resulting from the low bid and final building cost reductions  
44 authorized pursuant to section 6 of P.L.1987, c.200, section 7 of  
45 P.L.1988, c.133, section 6 of P.L.1989, c.189, section 6 of

1 P.L.1990, c.99, section 6 of P.L.1991, c.325, section 6 of P.L.1992,  
2 c.38, section 6 of P.L.1993, c.193, section 6 of P.L.1994, c.106,  
3 section 6 of P.L.1995, c.219, section 6 of P.L.1996, c.85, section 6  
4 of P.L.1997, c.221, section 7 of P.L.1998, c.84, section 6 of  
5 P.L.1999, c.174, section 6 of P.L.2000, c.92, section 6 of P.L.2001,  
6 c.222, section 6 of P.L.2002, c.70, section 6 of P.L.2003, c.158,  
7 section 6 of P.L.2004, c.109, section 6 of P.L.2005, c.196, section 6  
8 of P.L.2006, c.68, section 6 of P.L.2007, c.139, section 6 of  
9 P.L.2008, c.68, section 7 of P.L.2009, c.102, section 6 of P.L.2010,  
10 c.63, section 6 of P.L.2011, c.93, section 6 of P.L.2012, c.43,  
11 section 6 of P.L.2013, c.95, section 6 of P.L.2014, c.25, section 6 of  
12 P.L.2015, c.108, **[and]** section 6 of P.L.2016, c.32, as amended by  
13 P.L.2017, c.14, and section 6 of P.L.2017, c.143, as amended by  
14 P.L. , c. (pending before the Legislature as this bill), and from  
15 any repayments of loans and interest from the Clean Water State  
16 Revolving Fund, the "Wastewater Treatment Fund," the "Water  
17 Supply Fund," the "1992 Wastewater Treatment Fund," the "2003  
18 Water Resources and Wastewater Treatment Fund," and amounts  
19 deposited therein during State fiscal year 2016 and State fiscal year  
20 2017 pursuant to the provisions of section 16 of P.L.1985, c.329,  
21 and section 2 of P.L.2009, c.77 and any amendatory and  
22 supplementary acts thereto, including any Clean Water State  
23 Revolving Fund Accounts contained within the "Wastewater  
24 Treatment Fund," and from any repayment of loans and interest  
25 from the Drinking Water State Revolving Fund.

26 e. The department is authorized to make zero interest and  
27 principal forgiveness Sandy financing loans to or on behalf of the  
28 project sponsors for the Sandy environmental infrastructure projects  
29 listed in subsection a. of section 3 of **[this act]** P.L.2017, c.143, as  
30 amended by P.L. , c. (pending before the Legislature as this  
31 bill), for clean water projects and subsection b. of section 3 of **[this**  
32 **act]** P.L.2017, c.143, as amended by P.L. , c. (pending before  
33 the Legislature as this bill), for drinking water projects, in a manner  
34 consistent with the Federal Disaster Relief Appropriations Act, up  
35 to the individual amounts indicated, except that any such amount  
36 may be reduced by the Commissioner of Environmental Protection  
37 pursuant to section 7 of **[this act]** P.L.2017, c.143, as amended by  
38 P.L. , c. (pending before the Legislature as this bill), or if a  
39 project fails to meet the requirements of section 4, 5, or 7 of **[this**  
40 **act]** P.L.2017, c.143, as amended by P.L. , c. (pending before  
41 the Legislature as this bill), provided a maximum of \$300 million  
42 shall be provided for Sandy financing loans for clean water and  
43 drinking water projects to provide financial assistance to  
44 communities affected by the Storm Sandy, and for projects whose

1 purpose is to reduce flood damage risk and vulnerability or to  
2 enhance resiliency to rapid hydrologic change or a natural disaster.

3 f. For the purposes of **【this act】** P.L.2017, c.143, as amended  
4 by P.L. , c. (pending before the Legislature as this bill):

5 “Base financing” means zero interest loans provided by the  
6 Department of Environmental Protection from moneys made  
7 available for the purposes of **【this act】** P.L.2017, c.143, as amended  
8 by P.L. , c. (pending before the Legislature as this bill), from  
9 any source other than funds received pursuant to the Federal  
10 Disaster Relief Appropriations Act, related State matching funds,  
11 and interest earned thereon.

12 "Federal Disaster Relief Appropriations Act" means the  
13 "Disaster Relief Appropriations of 2013" (Pub.L.113-2), and any  
14 amendatory and supplementary acts thereto.

15 "Sandy financing" or "Sandy funding" means grants, zero  
16 interest loans or principal forgiveness loans provided by the  
17 Department of Environmental Protection from funds made available  
18 to the State for clean water projects, clean water project match,  
19 drinking water projects or drinking water project match pursuant to  
20 the Federal Disaster Relief Appropriations Act.

21 (cf: P.L.2017, c.143, s.1)

22

23 2. Section 2 of P.L.2017, c.143 is amended to read as follows:

24 2. a. (1) The department is authorized to expend funds for the  
25 purpose of making supplemental zero interest loans to or on behalf  
26 of the project sponsors listed below for the following clean water  
27 environmental infrastructure projects:

28

<b>Project Sponsor</b>	<b>Project Number</b>	<b>Estimated Allowable DEP Loan Amount</b>	<b>Estimated Total Allowable Loan Amount</b>
Burlington Township	S320712-14-1	\$150,000	\$200,000
<u>Manasquan Borough</u>	<u>S340450-01-1</u>	<u>\$1,582,500</u>	<u>\$2,110,000</u>
<u>Mendham Township</u>	<u>S340477-01-1</u>	<u>\$1,615,500</u>	<u>\$2,154,000</u>
North Hudson <b>【Sewer Authority】</b> <u>SA</u>	S340952-19-1	\$150,000	\$200,000
Ventnor City	S340667-02-1	\$3,750,000	\$5,000,000
Wanaque Valley RSA	S340780-04-1	\$1,125,000	\$1,500,000

Warren Township SA	S340964-01-1	\$75,000	\$100,000
Warren Township SA	S340964-02-1	\$262,500	\$350,000
Total projects: 6		[\$5,512,500] \$8,373,000	[\$7,350,000] \$11,164,000

1

2 (2) The loans authorized in this subsection shall be made for the

3 difference between the allowable loan amounts required by these

4 projects based upon final building costs pursuant to section 7 of

5 **[this act]** P.L.2017, c.143, as amended by P.L. , c. (pending

6 before the Legislature as this bill), and the loan amounts certified

7 by the Commissioner of Environmental Protection in State fiscal

8 years 2015, 2016, and 2017 and for increased allowable costs as

9 defined and determined in accordance with the rules and regulations

10 adopted by the department pursuant to section 4 of P.L.1985, c.329.

11 The loans authorized in this subsection shall be made to or on

12 behalf of the project sponsors listed, up to the individual amounts

13 indicated and in the priority stated, to the extent sufficient funds are

14 available, except as a project fails to meet the requirements of

15 section 4, 5, or 7 of **[this act]** P.L.2017, c.143, as amended by

16 P.L. , c. (pending before the Legislature as this bill).

17 (3) The zero interest loans for the projects authorized in this

18 subsection shall have priority over projects listed in subsection a. of

19 section 3 of **[this act]** P.L.2017, c.143, as amended by P.L. ,

20 c. (pending before the Legislature as this bill).

21 b. (1) The department is authorized to expend funds for the

22 purpose of making supplemental loans to or on behalf of the project

23 sponsors listed below for the following drinking water

24 environmental infrastructure projects:

25

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Allowable Loan Amount
North Jersey District Water Supply Comm.	1613001-017-1	\$2,700,000	\$3,600,000
Total Projects: 1		\$2,700,000	\$3,600,000

26

27 (2) The loans authorized in this subsection shall be made for the

28 difference between the allowable loan amount required by this

29 project based upon final building costs pursuant to section 6 of **[this**

1 act】 P.L.2017, c.143, as amended by P.L. \_\_\_\_\_, c. \_\_\_\_\_ (pending before  
2 the Legislature as this bill), and the loan amount certified by the  
3 Commissioner of Environmental Protection in State fiscal year 2017  
4 and for increased allowable costs as defined and determined in  
5 accordance with the rules and regulations adopted by the  
6 department pursuant to section 5 of P.L.1981, c.261. The loans  
7 authorized in this subsection shall be made to or on behalf of the  
8 project sponsors listed, up to the individual amounts indicated and  
9 in the priority stated, to the extent sufficient funds are available,  
10 except as a project fails to meet the requirements of section 4, 5, or  
11 7 of 【this act】 P.L.2017, c.143, as amended by P.L. \_\_\_\_\_,  
12 c. \_\_\_\_\_ (pending before the Legislature as this bill).

13 (3) The zero interest loans for the projects authorized in this  
14 subsection shall have priority over projects listed in subsection b. of  
15 section 3 of 【this act】 P.L.2017, c.143, as amended by P.L. \_\_\_\_\_,  
16 c. \_\_\_\_\_ (pending before the Legislature as this bill).  
17 (cf: P.L.2017, c.143, s.2)

18  
19 3. Section 3 of P.L.2017, c.143 is amended to read as follows:  
20 3. a. The following environmental infrastructure projects shall  
21 be known and may be cited as the "Storm Sandy and State Fiscal  
22 Year 2018 Clean Water Project Eligibility List":  
23

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Allowable Loan Amount
<u>Aberdeen Township</u>	<u>S340869-02</u>	<u>\$6,750,000</u>	<u>\$9,000,000</u>
Atlantic County UA	S340809-23	【\$8,280,000】 <u>\$11,040,000</u>	\$11,040,000
Atlantic County UA	S340809-24	【\$720,000】 <u>\$800,000</u>	【\$960,000】 <u>\$800,000</u>
Atlantic County UA	S340809-25	【\$13,140,000】 <u>\$17,520,000</u>	\$17,520,000
Atlantic County UA	S340809-26	【\$1,350,000】 <u>\$1,500,000</u>	【\$1,800,000】 <u>\$1,500,000</u>
Atlantic County UA	S340809-27	【\$2,400,00】 <u>\$3,200,000</u>	\$3,200,000
Atlantic County UA	S340809-28	\$3,075,000	\$4,100,000
Bayshore RSA	S340697-05	\$21,150,000	\$28,200,000
<u>Bayshore RSA</u>	<u>S340697-06</u>	<u>\$11,325,000</u>	<u>\$15,100,000</u>

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<u>Bradley Beach Borough</u>	<u>S340472-01</u>	<u>\$2,025,000</u>	<u>\$2,700,000</u>
<u>Bradley Beach Borough</u>	<u>S340472-02</u>	<u>\$1,942,538</u>	<u>\$2,590,050</u>
<u>Burlington City</u>	<u>S340140-01</u>	<u>\$1,275,000</u>	<u>\$1,700,000</u>
Burlington Township	S340712-15	\$825,000	\$1,100,000
Carteret Borough	S340939-09	【\$7,950,000】 <u>\$11,257,500</u>	【\$10,600,000】 <u>\$15,010,000</u>
Cinnaminson SA	S340170-07	\$6,750,000	\$9,000,000
<u>Cinnaminson SA</u>	<u>S340170-08</u>	<u>\$870,000</u>	<u>\$1,160,000</u>
Cumberland County UA	S340550-07	\$975,000	\$1,300,000
Cumberland County UA	S340550-08	\$975,000	\$1,300,000
Elizabeth City	S340942-18	\$6,150,000	\$8,200,000
<u>Elizabeth City</u>	<u>S340942-19</u>	<u>\$5,775,000</u>	<u>\$7,700,000</u>
Gloucester City	S340958-07	\$900,000	\$1,200,000
<u>Gloucester City</u>	<u>S340958-08</u>	<u>\$1,575,000</u>	<u>\$2,100,000</u>
Gloucester County IA	S342024-01	\$6,000,000	\$8,000,000
Gloucester County UA	S340902-14	\$33,750,000	\$45,000,000
Gloucester County UA	S340902-16	\$1,575,000	\$2,100,000
Hightstown Borough	S340915-05	\$1,050,000	\$1,400,000
【Hoboken City	S340635-06	\$24,750,000	\$33,000,000】
Hoboken City	S340635-07	\$3,750,000	\$5,000,000
<u>Jersey City MUA</u>	<u>S340928-15</u>	<u>\$30,300,000</u>	<u>\$40,400,000</u>
<u>Jersey City MUA</u>	<u>S340928-19</u>	<u>\$5,625,000</u>	<u>\$7,500,000</u>
<u>Jersey City MUA</u>	<u>S340928-20</u>	<u>\$5,400,000</u>	<u>\$7,200,000</u>

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<u>Jersey City MUA</u>	<u>S340928-22</u>	<u>\$562,500</u>	<u>\$750,000</u>
<u>Jersey City</u>	<u>S340928-30</u>	<u>\$2,033,250</u>	<u>\$2,711,000</u>
Kearny MUA	S340259-07	\$4,875,000	\$6,500,000
<u>Little Egg Harbor MUA</u>	<u>S340579-02</u>	<u>\$2,475,000</u>	<u>\$3,300,000</u>
Long Beach Township	S340023-06	\$3,750,000	\$5,000,000
<u>Manasquan River RSA</u>	<u>S340911-03</u>	<u>\$495,000</u>	<u>\$660,000</u>
Mendham Township	S340477-01	\$1,875,000	\$2,500,000
Millville City	S340921-07	\$9,000,000	\$12,000,000
<u>Montclair Township</u>	<u>S340837-04</u>	<u>\$1,275,000</u>	<u>\$1,700,000</u>
<u>Newark City</u>	<u>S340815-22</u>	<u>\$7,875,000</u>	<u>\$10,500,000</u>
<u>North Bergen MUA</u>	<u>S340652-14</u>	<u>\$17,250,000</u>	<u>\$23,000,000</u>
<u>North Hudson SA</u>	<u>S340952-22</u>	<u>\$13,500,000</u>	<u>\$18,000,000</u>
North Hudson SA	S340952-23	\$2,325,000	\$3,100,000
<u>North Hudson SA</u>	<u>S340952-28</u>	<u>\$1,275,000</u>	<u>\$1,700,000</u>
Northwest Bergen County UA	S340700-13	\$3,900,000	\$5,200,000
<u>Ocean County</u>	<u>S344080-09</u>	<u>\$975,000</u>	<u>\$1,300,000</u>
Ocean County	S344080-10	\$187,500	\$250,000
Ocean County	S344080-11	\$262,500	\$350,000
Ocean Township	S340112-07	\$2,250,000	\$3,000,000
Ocean Township SA	S340750-11	\$4,875,000	\$6,500,000
<u>Ocean Township SA</u>	<u>S340750-13</u>	<u>\$412,500</u>	<u>\$550,000</u>
<u>Ocean Township SA</u>	<u>S340750-14</u>	<u>\$1,875,000</u>	<u>\$2,500,000</u>
Passaic Valley SC	S340689-25	\$6,825,000	\$9,100,000
Passaic Valley SC	S340689-30	<b>[\$1,875,000]</b> <u>\$2,775,000</u>	<b>[\$2,500,000]</b> <u>\$3,700,000</u>



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Passaic Valley SC	S340689-31	\$3,000,000	\$4,000,000
<u>Passaic Valley SC</u>	<u>S340689-32</u>	<u>\$7,500,000</u>	<u>\$10,000,000</u>
Passaic Valley SC	S340689-34	\$2,175,000	\$2,900,000
<u>Passaic Valley SC</u>	<u>S340689-38</u>	<u>\$15,750,000</u>	<u>\$21,000,000</u>
<u>Passaic Valley SC</u>	<u>S340689-39</u>	<u>\$3,612,000</u>	<u>\$4,816,000</u>
<u>Perth Amboy City</u>	<u>S340435-11</u>	<u>\$4,844,513</u>	<u>\$6,459,351</u>
<u>Perth Amboy City</u>	<u>S340435-13</u>	<u>\$637,500</u>	<u>\$850,000</u>
Pine Hill MUA	S340274-05	\$1,350,000	\$1,800,000
<u>Plumsted Township</u>	<u>S340607-03</u>	<u>\$20,250,000</u>	<u>\$27,000,000</u>
<u>Rahway Valley SA</u>	<u>S340547-14</u>	<u>\$7,125,000</u>	<u>\$9,500,000</u>
<u>Riverdale Borough</u>	<u>S340729-02</u>	<u>\$217,342</u>	<u>\$289,789</u>
<u>Riverside SA</u>	<u>S340490-01</u>	<u>\$630,000</u>	<u>\$840,000</u>
Rockaway Valley RSA	S340821-06	\$6,000,000	\$8,000,000
<u>Rockaway Valley RSA</u>	<u>S340821-07</u>	<u>\$6,150,000</u>	<u>\$8,200,000</u>
<u>Roxbury Township</u>	<u>S340381-07</u>	<u>\$5,625,000</u>	<u>\$7,500,000</u>
<u>Ship Bottom Borough</u>	<u>S340311-03</u>	<u>\$3,525,000</u>	<u>\$4,700,000</u>
Somerset Raritan Valley SA	S340801-08	<b>【\$10,125,000】</b> <u>\$12,375,000</u>	<b>【\$13,500,000】</b> <u>\$16,500,000</u>
Somerville Borough	S342013-01	\$8,625,000	\$11,500,000
South Monmouth RSA	S340377-05	\$2,625,000	\$3,500,000
Stafford Township	S344100-03	\$4,200,000	\$5,600,000
<u>Stony Brook RSA</u>	<u>S340400-10</u>	<u>\$3,825,000</u>	<u>\$5,100,000</u>
Sussex County MUA	S342008-05	\$9,750,000	\$13,000,000

Ventnor City	S340667-03	\$1,500,000	\$2,000,000
<b>Total Projects: [42] 77</b>		<b>[\$236,865,000] \$429,299,643</b>	<b>[\$315,820,000] \$561,046,190</b>

1  
2       b. The following environmental infrastructure projects shall be  
3 known and may be cited as the "Storm Sandy and State Fiscal Year  
4 2018 Drinking Water Project Eligibility List":  
5

<b>Project Sponsor</b>	<b>Project No.</b>	<b>Estimated Allowable DEP Loan Amount</b>	<b>Estimated Total Allowable Loan Amount</b>
<u>Aberdeen Township</u>	<u>1330004-001</u>	<u>\$2,925,000</u>	<u>\$3,900,000</u>
Berkeley Township MUA	1505004-007	\$525,000	\$700,000
Bordentown City	0303001-006	\$1,125,000	\$1,500,000
<u>Bordentown City</u>	<u>0303001-008</u>	<u>\$1,650,000</u>	<u>\$2,200,000</u>
Cape May City	0502001-004	\$1,650,000	\$2,200,000
Clinton Town	1005001-008	\$1,125,000	\$1,500,000
Clinton Town	1005001-009	\$900,000	\$1,200,000
<u>Elmer Borough</u>	<u>1702001-001</u>	<u>\$600,000</u>	<u>\$800,000</u>
Gloucester City	0414001- 020A	<b>[\$187,500] \$975,000</b>	<b>[\$250,000] \$1,300,000</b>
<u>Gloucester City</u>	<u>0414001-022</u>	<u>\$900,000</u>	<u>\$1,200,000</u>
Hoboken City	0905001-001	\$6,375,000	\$8,500,000
Jackson Township MUA	1511001-010	\$6,150,000	\$8,200,000
<u>Lavallette Borough</u>	<u>1515001-001</u>	<u>\$998,250</u>	<u>\$1,331,000</u>
<u>Little Egg Harbor MUA</u>	<u>1516001-004</u>	<u>\$2,250,000</u>	<u>\$3,000,000</u>
Long Beach Township	1517001-500	\$6,900,000	\$9,200,000
<u>Long Beach Township</u>	<u>1517001-501</u>	<u>\$1,725,000</u>	<u>\$2,300,000</u>

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<u>Manchester Township</u>	<u>1518005-002</u>	<u>\$4,125,000</u>	<u>\$5,500,000</u>
<u>Mantua Township MUA</u>	<u>0810004-002</u>	<u>\$1,350,000</u>	<u>\$1,800,000</u>
<u>Mantua Township MUA</u>	<u>0810004-003</u>	<u>\$1,050,000</u>	<u>\$1,400,000</u>
Maple Shade Township	0319001-006	\$1,950,000	\$2,600,000
Middlesex Water Company	1225001-016	\$4,275,000	\$5,700,000
Middlesex Water Company	1225001-023	\$6,000,000	\$8,000,000
Middlesex Water Company	1225001-024	\$2,700,000	\$3,600,000
<u>Middlesex Water Company</u>	<u>1225001-026</u>	<u>\$9,750,000</u>	<u>\$13,000,000</u>
<u>Netcong Borough</u>	<u>1428001-008</u>	<u>\$825,000</u>	<u>\$1,100,000</u>
Netcong Borough	1428001-009	\$300,000	\$400,000
<u>Newark City</u>	<u>0714001-016</u>	<u>\$9,750,000</u>	<u>\$13,000,000</u>
<u>Newark City</u>	<u>0714001-500</u>	<u>\$3,825,000</u>	<u>\$5,100,000</u>
<u>NJ American Water Company, Inc.</u>	<u>1345001-016</u>	<u>\$10,125,000</u>	<u>\$13,500,000</u>
NJ American Water Co.- Raritan	2004002-500	\$27,000,000	\$36,000,000
<u>NJ American Water Company, Inc.</u>	2004002-011	\$9,600,000	\$12,800,000
North Jersey District <b>【WS】</b> <u>Water Supply Comm.</u>	1613001-022	\$12,750,000	\$17,000,000

North Jersey District <b>【WS】</b> <u>Water Supply</u> <u>Comm.</u>	1613001-025	\$5,475,000	\$7,300,000
North Jersey District <b>【WS】</b> <u>Water Supply</u> <u>Comm.</u>	1613001-033	\$3,075,000	\$4,100,000
Ocean Township	1520001-007	\$1,050,000	\$1,400,000
<u>Old Bridge</u> <u>MUA</u>	<u>1209002-013</u>	<u>\$2,671,500</u>	<u>\$3,562,000</u>
<b>【Passaic</b> Valley WC	1605002-025	\$27,450,000	<b>\$36,600,000】</b>
<u>Pennington</u> <u>Borough</u>	<u>1108001-002</u>	<u>\$937,500</u>	<u>\$1,250,000</u>
Perth Amboy City	1216001-008	\$1,875,000	\$2,500,000
Rahway City	2013001-007	\$13,650,000	\$18,200,000
Red Bank Borough	1340001-002	\$1,500,000	\$2,000,000
Saddle Brook Township	0257001-002	\$1,425,000	\$1,900,000
<u>Ship Bottom</u> <u>Borough</u>	<u>1528001-002</u>	<u>\$2,812,500</u>	<u>\$3,750,000</u>
<u>Stafford</u> <u>Township</u>	<u>1530004-018</u>	<u>\$1,800,000</u>	<u>\$2,400,000</u>
Trenton City	1111001-010	\$7,875,000	\$10,500,000
Washington Township MUA	0818004-010	\$1,425,000	\$1,900,000
Willingboro MUA	0338001-009	\$5,250,000	\$7,000,000
<b>Total</b> <b>Projects:</b> <b>【28】 46</b>		<b>【\$159,562,500】</b> <b><u>\$192,969,750</u></b>	<b>【\$212,750,000】</b> <b><u>\$257,293,000</u></b>

1 (cf: P.L.2017, c.143, s.3)

2

3 4. Section 4 of P.L.2017, c.143 is amended to read as follows:

4 4. Any financing loan made by the Department of  
5 Environmental Protection pursuant to **【this act】** P.L.2017, c.143, as  
6 amended by P.L. , c. (pending before the Legislature as this  
7 bill), shall be subject to the following requirements:

8 a. The Commissioner Environmental Protection has certified  
9 that the project is in compliance with the provisions of P.L.1977,

1 c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997,  
2 c.225 or P.L.2003, c.162, and any rules and regulations adopted  
3 pursuant thereto;

4 b. A loan for an environmental infrastructure project listed in  
5 section 2 or 3 of **[this act]** P.L.2017, c.143, as amended by P.L. ,  
6 c. (pending before the Legislature as this bill), shall be subject to  
7 the terms and conditions of the financing program year in which the  
8 trust issued an interim financing program fund loan for such project  
9 or the terms and conditions of the state fiscal year 2018 financing  
10 program in the absence of an interim financing program fund loan.

11 c. The estimated Department of Environmental Protection  
12 allowable loan amount shall not exceed 75 percent of the total  
13 allowable loan amount of the environmental infrastructure facility  
14 for projects listed in subsections a. and b. of section 2 **[of this act,]**  
15 and **[in]** subsections a. and b. of section 3 of **[this act]** P.L.2017,  
16 c.143, as amended by P.L. , c. (pending before the Legislature  
17 as this bill), provided that:

18 (1) for clean water loans to municipalities that do not satisfy the  
19 New Jersey Environmental Infrastructure Trust credit policy but are  
20 subject to State financial supervision and oversight pursuant to the  
21 "Local Government Supervision Act (1947)," P.L.1947, c.151  
22 (C.52:27BB-1 et seq.), the Department of Environmental Protection  
23 allowable loan amount shall be up to 100 percent of the total  
24 allowable loan amount not to exceed a total of \$10 million for all  
25 such loans;

26 (2) for clean water and drinking water loans to municipalities  
27 receiving funding under the United States Department of Housing  
28 and Urban Development Community Development Block Grant –  
29 Disaster Recovery Program (CDBG-DR) the Department of  
30 Environmental Protection allowable loan amount shall be up to 100  
31 percent of the total allowable loan amount; and

32 (3) for loans to communities in a combined sewer overflow  
33 sewershed sponsoring construction projects that reduce or eliminate  
34 excessive infiltration, inflow, or extraneous flows, the Department  
35 of Environmental Protection allowable loan amount shall be up to  
36 100 percent of the total allowable loan amount;

37 d. With the exception of paragraphs (1) through (3) of  
38 subsection c. of this section, the loan shall be conditioned upon  
39 approval of a loan from the New Jersey Environmental  
40 Infrastructure Trust pursuant to P.L.2017, c.142, as amended by  
41 P.L. , c. (pending before the Legislature as Senate Bill No. 3539  
42 of 2017 and Assembly Bill No. of 2017), prior to June 30, 2018;

43 e. The loan shall be repaid within a period not to exceed 30  
44 years of the making of the loan; and

45 f. The loan shall be subject to any other terms and conditions  
46 as may be established by the commissioner and approved by the

1 State Treasurer, which may include, notwithstanding any other  
2 provision of law to the contrary, subordination of a loan authorized  
3 in **【this act】** P.L.2017, c.143, as amended by P.L. , c. (pending  
4 before the Legislature as this bill), to loans made by the New Jersey  
5 Environmental Infrastructure Trust pursuant to P.L.2017, c.142, as  
6 amended by P.L. , c. (pending before the Legislature as Senate  
7 Bill No. 3539 of 2017 and Assembly Bill No. of 2017), or to  
8 administrative fees payable to the trust pursuant to subsection o. of  
9 section 5 of P.L.1985, c.334 (C.58:11B-5).  
10 (cf: P.L.2017, c.143, s.4)

11

12 5. Section 5 of P.L.2017, c.143 is amended to read as follows:

13 5. a. Any Sandy financing loan made by the Department of  
14 Environmental Protection pursuant to **【this act】** P.L.2017, c.143, as  
15 amended by P.L. , c. (pending before the Legislature as this  
16 bill), shall be subject to the following requirements:

17 (1) The commissioner has certified that the project is in  
18 compliance with the provisions of Title X, Chapter 7 of the Federal  
19 "Disaster Relief Appropriations Act of 2013" (Pub.L.113-2), and  
20 any amendatory and supplementary acts thereto; and

21 (2) The commissioner has certified that the project is in  
22 compliance with the provisions of P.L.1977, c.224, P.L.1985, c.329,  
23 P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225 or P.L.2003,  
24 c.162, and any rules and regulations adopted pursuant thereto.

25 b. The total amount of Sandy financing loans received by any  
26 project sponsor for drinking water projects listed in subsection b. of  
27 section 3 of **【this act】** P.L.2017, c.143, as amended by P.L. ,  
28 c. (pending before the Legislature as this bill), shall not exceed  
29 \$15 million of which not more than \$4.5 million of the principal  
30 may be forgiven. In the event a project sponsor's individual loan  
31 needs exceed \$15 million, the borrower may select which of its  
32 projects it will seek funding pursuant to this section, and the  
33 borrower may seek a loan for excess costs in a base financing loan.  
34 In the event that additional Sandy funding becomes available  
35 because project sponsors do not close on loans or the project  
36 sponsors loan requests are less than originally applied for, the loan  
37 not to exceed amount may be increased to the extent needed to  
38 assure full utilization of Sandy funding for drinking water projects,  
39 provided:

40 (1) the loan shall be repaid within a period not to exceed 30  
41 years of the making of the loan;

42 (2) the loan shall be conditioned upon approval of a loan from  
43 the New Jersey Environmental Infrastructure Trust pursuant to  
44 P.L.2017, c.142, as amended by P.L. , c. (pending before the  
45 Legislature as Senate Bill No. 3539 of 2017 and Assembly Bill No.  
46 of 2017), prior to June 30, 2018; and

(3) the loan shall be subject to any other terms and conditions as may be established by the commissioner and approved by the State Treasurer, which may include, notwithstanding any other provision of law to the contrary, subordination of a loan authorized in **[this act]** P.L.2017, c.143, as amended by P.L. , c. (pending before the Legislature as this bill), to loans made by the trust pursuant to P.L.2017, c.142, as amended by P.L. , c. (pending before the Legislature as Senate Bill No. 3539 of 2017 and Assembly Bill No. of 2017), prior to June 30, 2018, or to administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).

(cf: P.L.2017, c.143, s.5)

6. Section 6 of P.L.2017, c.143 is amended to read as follows:

6. The eligibility lists and authorization for the making of loans pursuant to sections 2 and 3 of **[this act]** P.L.2017, c.143, as amended by P.L. , c. (pending before the Legislature as this bill), shall expire on July 1, 2018, and any project sponsor which has not executed and delivered a loan agreement with the department for a loan authorized in **[this act]** P.L.2017, c.143, as amended by P.L. , c. (pending before the Legislature as this bill), shall no longer be entitled to that loan.

(cf: P.L.2017, c.143, s.6)

7. Section 7 of P.L.2017, c.143 is amended to read as follows:

7. The Commissioner of Environmental Protection is authorized to reduce or increase the individual amount of loan funds made available to or on behalf of project sponsors pursuant to sections 2 and 3 of **[this act]** P.L.2017, c.143, as amended by P.L. , c. (pending before the Legislature as this bill), based upon final or low bid building costs defined in and determined in accordance with rules and regulations adopted by the commissioner pursuant to section 4 of P.L.1985, c.329, section 2 of P.L.1999, c.362 (C.58:12A-12.2), or section 5 of P.L.1981, c.261, provided that the total loan amount does not exceed the estimated total allowable loan amount. The commissioner is authorized to reduce or increase the individual amount of loan funds made available to or on behalf of project sponsors pursuant to sections 2 and 3 of **[this act]** P.L.2017, c.143, as amended by P.L. , c. (pending before the Legislature as this bill), in an amount not to exceed 10 percent of the total allowable loan amount based upon additional project costs to comply with the Department of Environmental Protection's guidance for asset management, emergency response, flood protection, and auxiliary power.

(cf: P.L.2017, c.143, s.7)

1        8. Section 8 of P.L.2017, c.143 is amended to read as follows:

2        8. The expenditure of the funds appropriated by **【this act】**  
3 P.L.2017, c.143, as amended by P.L. , c. (pending before the  
4 Legislature as this bill), is subject to the provisions and conditions  
5 of P.L.1977, c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997,  
6 c.223, P.L.1997, c.225 or P.L.2003, c.162, and the rules and  
7 regulations adopted by the Commissioner of Environmental  
8 Protection pursuant thereto, and the provisions of the Federal  
9 Disaster Relief Appropriations Act, the Federal Clean Water Act or  
10 the Federal Safe Drinking Water Act, and any amendatory and  
11 supplementary acts thereto, as appropriate.  
12 (cf: P.L.2017, c.143, s.8)

13

14        9. Section 10 of P.L.2017, c.143 is amended to read as follows:

15        10. a. Prior to repayment to the Clean Water State Revolving  
16 Fund pursuant to sections 1 and 2 of P.L.2009, c.77 and any  
17 amendatory and supplementary acts thereto, prior to repayment to  
18 the "Wastewater Treatment Fund" pursuant to the provisions of  
19 section 16 of P.L.1985, c.329, prior to repayment to the "1992  
20 Wastewater Treatment Fund" pursuant to the provisions of section  
21 28 of P.L.1992, c.88, prior to repayment to the Drinking Water  
22 State Revolving Fund, prior to repayment to the "Stormwater  
23 Management and Combined Sewer Overflow Abatement Fund"  
24 pursuant to the provisions of section 15 of P.L.1989, c.181, prior to  
25 repayment to the "2003 Water Resources and Wastewater  
26 Treatment Fund" pursuant to the provisions of section 20 of  
27 P.L.2003, c.162, or prior to repayment to the "Water Supply Fund"  
28 pursuant to the provisions of section 15 of P.L.1981, c.261,  
29 repayments of loans made pursuant to these acts may be utilized by  
30 the New Jersey Environmental Infrastructure Trust established  
31 pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.), as amended and  
32 supplemented by P.L.1997, c.224, under terms and conditions  
33 established by the commissioner and trust, and approved by the  
34 State Treasurer, and consistent with the provisions of P.L.1985,  
35 c.334 (C.58:11B-1 et seq.) and federal tax, environmental or  
36 securities law, to the extent necessary to secure repayment of trust  
37 bonds issued to finance loans approved pursuant to P.L.2017, c.142,  
38 as amended by P.L. , c. (pending before the Legislature as  
39 Senate Bill No. 3539 of 2017 and Assembly Bill No. of 2017), and  
40 to secure the administrative fees payable to the trust pursuant to  
41 subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5) by the  
42 project sponsors receiving trust loans.

43        b. Prior to repayment to the Clean Water State Revolving Fund  
44 pursuant to section 1 and 2 of P.L. 2009, c.77 and any amendatory  
45 and supplementary acts thereto, prior to repayment to the  
46 "Wastewater Treatment Fund" pursuant to the provisions of section



1 16 of P.L.1985, c.329, prior to repayment to the "1992 Wastewater  
2 Treatment Fund" pursuant to the provisions of section 28 of  
3 P.L.1992, c.88, prior to repayment to the "Water Supply Fund"  
4 pursuant to the provisions of section 15 of P.L.1981, c.261, prior to  
5 repayment to the Drinking Water State Revolving Fund, prior to  
6 repayment to the "2003 Water Resources and Wastewater  
7 Treatment Fund" pursuant to the provisions of section 20 of  
8 P.L.2003, c.162, or prior to repayment to the "Stormwater  
9 Management and Combined Sewer Overflow Abatement Fund"  
10 pursuant to the provisions of section 15 of P.L.1989, c.181, the trust  
11 is further authorized to utilize repayments of loans made pursuant to  
12 P.L.1989, c.189, P.L.1990, c.99, P.L.1991, c.325, P.L.1992, c.38,  
13 P.L.1993, c.193, P.L.1994, c.106, P.L.1995, c.219, P.L.1996, c.85,  
14 P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92,  
15 P.L.2001, c.222, P.L.2002, c.70, P.L.2003, c.158, P.L.2004, c.109,  
16 P.L.2005, c.196, P.L.2006, c.68, P.L.2007, c.139, P.L.2008, c.68,  
17 P.L.2009, c.102, P.L.2010, c.63, P.L.2011, c.93, P.L.2012, c.43,  
18 P.L.2013, c.95, P.L.2014, c.25, P.L.2015, c.108, P.L.2016, c.32, as  
19 amended by P.L.2017, c.14, or P.L.2017, [c.142] c.143, as  
20 amended by P.L. , c. (pending before the Legislature as this  
21 bill), to secure repayment of trust bonds issued to finance loans  
22 approved pursuant to P.L.1995, c.218, P.L.1996, c.87, P.L.1997,  
23 c.222, P.L.1998, c.85, P.L.1999, c.173, P.L.2000, c.93, P.L.2001,  
24 c.224, P.L.2002, c.71, P.L.2003, c.159, P.L.2004, c.110, P.L.2005,  
25 c.197, P.L.2006, c.67, P.L.2007, c.140, P.L.2008, c.67, P.L.2009,  
26 c.101, P.L.2010, c.62, P.L.2011, c.95, P.L.2012, c.38, P.L.2013,  
27 c.94, P.L.2014, c.26, P.L.2015, c.107 P.L.2016, c.31, as amended  
28 by P.L.2017, c.13, or P.L.2017, c.142, as amended by P.L. ,  
29 c. (pending before the Legislature as Senate Bill No. 3539 of 2017  
30 and Assembly Bill No. of 2017), and to secure the administrative  
31 fees payable to the trust under these loans pursuant to subsection o.  
32 of section 5 of P.L.1985, c.334 (C.58:11B-5).

33 c. To the extent that any loan repayment sums are used to  
34 satisfy any trust bond repayment or administrative fee payment  
35 deficiencies, the trust shall repay such sums to the department for  
36 deposit into the Clean Water State Revolving Fund, the  
37 "Wastewater Treatment Fund," the "1992 Wastewater Treatment  
38 Fund," the "Water Supply Fund," the Drinking Water State  
39 Revolving Fund, the "2003 Water Resources and Wastewater  
40 Treatment Fund," or the "Stormwater Management and Combined  
41 Sewer Overflow Abatement Fund," as appropriate, from amounts  
42 received by or on behalf of the trust from project sponsors causing  
43 any such deficiency.

44 (cf: P.L.2017, c.143, s.10)

45  
46 10. This act shall take effect immediately.

## STATEMENT

This bill would amend the list of environmental infrastructure projects approved by the Legislature for long-term funding for Fiscal Year 2018 to include new projects, revise allowable loan amounts for already approved projects, and remove certain projects.

Under current law, on or before May 15 each year, the New Jersey Environmental Infrastructure Trust (NJEIT) must submit a list of environmental infrastructure projects, known as the project eligibility list, to be approved by the Legislature for long-term funding. The list is introduced in each House in the form of legislative appropriations bills. In June 2017, P.L.2017, c.143 was enacted into law, which appropriated funds to the Department of Environmental Protection (DEP) for the purpose of financing approximately \$539.52 million in environmental infrastructure projects through the NJEIT in Fiscal Year 2018. Of that amount, approximately \$323.17 million was made available for clean water project loans and \$216.35 million for drinking water project loans.

In August 2016, P.L.2016, c.30 was enacted into law, which, among other things, provided the NJEIT with the authority to submit an additional project eligibility list, by October 15 of each year, for approval by the Legislature. Pursuant to that authority, the NJEIT submitted an additional project eligibility list and revisions to allowable loan amounts for projects that were already approved in P.L.2017, c.143. This bill would amend P.L.2017, c.143 to include those new projects and revisions to allowable loan amounts for already approved projects. Under the bill and P.L.2017, c.143, approximately \$833.1 million would be made available for environmental infrastructure projects in Fiscal Year 2018. Of that amount, approximately \$572.21 million would be available for clean water project loans and \$260.89 million would be made available for drinking water project loans.

Certain projects have been removed from the list of projects approved for funding either because they have already received long-term funding or because the projects will not be ready to receive funding before the end of Fiscal Year 2018 under NJEIT program requirements.

Funding sources for NJEIT project loans include federal capitalization grants, State bond issue proceeds, State match, various prior legislative appropriations, loan repayments, interest earnings, and market rate loans made by the NJEIT.